

Annex I

Public

[REDACTED]

From: Trial Chamber X Communications
Sent: 09 March 2021 09:24
To: D28 Al Hassan Defence Team (D28AlHassanDefenceTeam [REDACTED]); Al Hassan Prosecution Team; V43 Victims Al Hassan Team
Cc: Trial Chamber X Communications; Associate Legal Officer-Court Officer; FS Items Communication
Subject: Decision on submitted material for P-0554
Attachments: Email from OTP 1 March 2021.pdf; Email from Defence 1 March 2021.pdf; Email from OTP 2 March 2021.pdf; Email from Defence 3 March 2021.pdf

Dear counsel,
Dear colleagues,

The Chamber notes the submission of items by the Defence (Email from the Defence dated 1 March 2021 at 15:39) following the testimony of P-0554, and notes that the Prosecution has no evidence to submit through P-0554 (Email from the Prosecution dated 1 March 2021 at 12:43).

The Chamber takes note of the Prosecution's objections to one item the Defence seeks to submit through P-0554 (Email from the Prosecution of 2 March 2021 at 15:46) and the Defence's reply thereto (Email from the Defence on 3 March 2021 at 14:08).

The Chamber has had due regard to the email exchanges between the parties as a result of the submission of items following the testimony of P-0554.

The Chamber is satisfied that the items tendered were sufficiently used or discussed with P-0554 during her testimony for them to be recognised as formally submitted. As regards the item objected by the Prosecution, MLI-D28-0004-6988, the Chamber notes that this Tweet was used with P-0554 during her testimony. The Chamber considers that the Prosecution's objections relate more to the interpretation given by the Defence on the item's relevance and reliability. These are issues which do not prevent the submission of the items at this stage, but which Chamber will consider holistically in the judgment under Article 74 of the Statute.

Accordingly, the Chamber authorises the submission of the material identified in the Defence email of 1 March 2021 at 15:39.

The Registry is directed to proceed in accordance with paragraph 34(vi) of the Directions on the conduct of the proceedings (ICC-01/12-01/18-789-AnxA).

Kind regards,

[REDACTED]
on behalf of Trial Chamber X